

## **EXHIBIT B**

CM-015

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Kristen G. Simplicio</b> California State Bar No. 263291 Tycko & Zavareei LLP, 2000 Pennsylvania Avenue NW, Suite 1010 Washington, D.C. 20006 TELEPHONE NO.: (202) 973-0900 FAX NO. (Optional): (202) 973-0950 E-MAIL ADDRESS (Optional): <b>ksimplicio@tzlegal.com</b> ATTORNEY FOR (Name): <b>Plaintiffs Iola Favell et al.</b>	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: <b>Stanley Mosk Courthouse 111 N Hill Street</b> MAILING ADDRESS: <b>111 N Hill Street</b> CITY AND ZIP CODE: <b>Los Angeles, CA 90012</b> BRANCH NAME: <b>Civil - Class Action</b>	
PLAINTIFF/PETITIONER: <b>Iola Favell et al.</b>  DEFENDANT/RESPONDENT: <b>University of Southern California and 2U, Inc.</b>	CASE NUMBER: <b>23STCV06899</b>  JUDICIAL OFFICER: <b>Elihu M. Berle</b>
<b>NOTICE OF RELATED CASE</b>	DEPT.: <b>6</b>

Identify, in chronological order according to date of filing, all cases related to the case referenced above.

1. a. Title: **Iola Favell, et al. v. University of Southern California and 2U, Inc.**  
 b. Case number: **22STCV39350**  
 c. Court: ☒ same as above  
☐ other state or federal court (name and address):  
 d. Department: **6**  
 e. Case type: ☐ limited civil ☒ unlimited civil ☐ probate ☐ family law ☐ other (specify):  
 f. Filing date: **12/20/2022**  
 g. Has this case been designated or determined as "complex?" ☒ Yes ☐ No  
 h. Relationship of this case to the case referenced above (check all that apply):  
☒ involves the same parties and is based on the same or similar claims.  
☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.  
☐ involves claims against, title to, possession of, or damages to the same property.  
☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.  
☒ Additional explanation is attached in attachment 1h  
 i. Status of case:  
☒ pending  
☐ dismissed ☐ with ☐ without prejudice  
☐ disposed of by judgment
2. a. Title: **Iola Favell et al. v. University of Southern California et al.**  
 b. Case number: **2:23-cv-00846-SPG-MAR**  
 c. Court: ☐ same as above  
☒ other state or federal court (name and address): **USDC Central District of California**  
 d. Department: **Civil**

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PLAINTIFF/PETITIONER: Iola Favell et al.	CASE NUMBER:
DEFENDANT/RESPONDENT: University of Southern California and 2U, Inc.	23STCV06899

## 2. (continued)

e. Case type: ☐ limited civil ☒ unlimited civil ☐ probate ☐ family law ☐ other (specify):

f. Filing date: 2/3/2023

g. Has this case been designated or determined as "complex?" ☐ Yes ☐ No

h. Relationship of this case to the case referenced above (check all that apply):

☒ involves the same parties and is based on the same or similar claims.☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.☐ involves claims against, title to, possession of, or damages to the same property.☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.☒ Additional explanation is attached in attachment 2h

i. Status of case:

☒ pending☐ dismissed ☐ with ☐ without prejudice☐ disposed of by judgment

## 3. a. Title:

b. Case number:

c. Court: ☐ same as above☐ other state or federal court (name and address):

d. Department:

e. Case type: ☐ limited civil ☐ unlimited civil ☐ probate ☐ family law ☐ other (specify):

f. Filing date:

g. Has this case been designated or determined as "complex?" ☐ Yes ☐ No

h. Relationship of this case to the case referenced above (check all that apply):

☐ involves the same parties and is based on the same or similar claims.☐ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.☐ involves claims against, title to, possession of, or damages to the same property.☐ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.☐ Additional explanation is attached in attachment 3h

i. Status of case:

☐ pending☐ dismissed ☐ with ☐ without prejudice☐ disposed of by judgment4. ☐ Additional related cases are described in Attachment 4. Number of pages attached: \_\_\_\_\_

Date: 4/3/2023

Kristen G. Simplicio

(TYPE OR PRINT NAME OF PARTY OR ATTORNEY)



(SIGNATURE OF PARTY OR ATTORNEY)

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PLAINTIFF/PETITIONER: Iola Favell et al.	CASE NUMBER:
DEFENDANT/RESPONDENT: University of Southern California and 2U, Inc.	23STCV06899

**PROOF OF SERVICE BY FIRST-CLASS MAIL****NOTICE OF RELATED CASE**

**(NOTE: You cannot serve the Notice of Related Case if you are a party in the action. The person who served the notice must complete this proof of service. The notice must be served on all known parties in each related action or proceeding.)**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):

Tycko & Zavareei LLP 2000 Pennsylvania Avenue NW, Suite 1010 Washington, D.C. 20006

2. I served a copy of the *Notice of Related Case* by enclosing it in a sealed envelope with first-class postage fully prepaid and (*check one*):

- a. ☐ deposited the sealed envelope with the United States Postal Service.
- b. ☒ placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Related Case* was mailed:

- a. on (*date*): 4/3/2023
- b. from (*city and state*): Washington, D.C.

4. The envelope was addressed and mailed as follows:

- a. Name of person served:

University of Southern California  
Street address: 3551 Trousdale Parkway  
City: Los Angeles  
State and zip code: California 90089

- c. Name of person served:

2U, Inc.  
Street address: 2710 Gateway Oaks Dr, Suite 150N  
City: Sacramento  
State and zip code: California 95833

- b. Name of person served:

Street address:  
City:  
State and zip code:

- d. Name of person served:

Street address:  
City:  
State and zip code:

☐ Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 4/3/2023

Aaron McReynolds

(TYPE OR PRINT NAME OF DECLARANT)



  
(SIGNATURE OF DECLARANT)

## ATTACHMENT 1H/2H

*Favell, et. al., v. University of Southern California, et. al.*, Case No. 22STCV39350 (“*Favell P*”) was filed on December 22, 2022 in Los Angeles County Superior Court. Plaintiffs brought claims arising under California’s Unfair Competition Law (“UCL”), Bus & Prof. Code § 17200; False Advertising Law (“FAL”), Bus. & Prof. Code § 17500, the Consumer Legal Remedies Act, Cal. Civ. Code § 1780, and common law unjust enrichment.

On February 3, 2023 Defendant 2U, Inc. removed *Favell I* to the Central District of California, where it was assigned to Judge Sherilynn Peace Garnett, and assigned Case No. 2:23-cv-00846-SPG-MAR (“*Favell IP*”). Defendants argued, and *Sonner v. Premier Nutrition Corp.*, 971 F.3d 834 (9th Cir. 2020), appears to provide that the federal court lacked equitable jurisdiction over the equitable claims asserted by Plaintiffs and removed into the federal court by Defendants. Thus, on March 29, 2023, Plaintiffs filed an amended complaint in *Favell II* seeking only CLRA damages, while dismissing the remaining equitable causes of action. That same day, Plaintiffs filed a new lawsuit, *Favell, et. al., v. University of Southern California, et. al.*, Case No. 23STCV06899 (“*Favell IIP*”), which re-asserts their equitable claims under the UCL and FAL, as well as claims for equitable remedies under the CLRA.

The operative complaints in all actions contain the same substantive allegations. The only material difference is the causes of action and remedies sought in each.